REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks. Claims 9 and 10 are amended. Applicants did not add new matter when amending claims 9 and 10. Support in the originally filed specification for the linking the business directions component to the business capabilities component is given in Figure 5. Claims 1, 2, 4, 6, 9, 10 and 13-30 are pending.

The rejection under 35 U.S.C. §101

Applicants continue to traverse the rejections of claims 1-2, 4-6, 18-29 and 30 as being directed to non-statutory subject matter. Claim 1 is directed to enterprise architecture model of a business and its information technology that is manipulated by and implemented in a data processing system. As such, the subject matter of claim 1 qualifies as statutory subject matter as either or both a machine and an article of manufacture. Claim 1 includes these elements: a business architecture having a plurality of business **components;** an information technology architecture comprising at least one application software **component** and a plurality of information technology **components**; a linkage assessment **tool;** and an impact assessment **work product**. In the realm of information handling systems, the word "component" refers to pieces of software code that is reusable by a number of software processes, *see* Wikipedia at http://en.wikipedia.org/wiki/Software_components which states:

> A software component is a system element offering a predefined service or event, and able to communicate with other components. Clemens Szyperski and David Messerschmitt give the following five criteria for what a software component shall be to fulfill the definition: [1] Multiple-use; [2] Non-context-specific; [3] Composable with other components; [4] Encapsulated i.e., non-investigable through its interfaces; [and 5] A unit of independent deployment and versioning .... A component is an object written to a specification. .... Reusability is an important characteristic of a high quality software component. A software component should be designed and implemented so that it can be reused in many different programs. .... **Today, modern reusable components encapsulate both data structures and the algorithms that are applied to the data structures.** [Emphasis added]

Certainly "tools" and "work product" are articles of manufacture. Applicants disagree that the claimed invention is merely **structures** or modeling instruments comprising a **disembodied abstract idea** and do not produce **any tangible concrete and repeatable results**. Claim 1 recites components which are not mere structures to one of ordinary skill in the art, *see above*. A modeling instrument, moreover, stored in, manipulated by and implemented in a data processing system is not a disembodied abstract idea; it is realizable in the claimed components and the operational linkages. Applicants further assert that the evaluation of an impact on one architecture resulting from changes in another architecture and the production of a work product of the impact of these changes is a tangible, concrete, and repeatable task. One of skill in the art knows that she/he can use the claimed machine and/or article of manufacture in a tangible, concrete and repeatable fashion to evaluate the impact of changes to the architectures.

The present application incorporates by reference U.S. Patent 6950802 to Barnes et al. filed 25 July 2000 as US Serial No 09/625108 and entitled METHOD AND SYSTEM FOR SYSTEM INTEGRATION. This method and system into which the claimed invention can be used is certainly statutory subject matter.

Applicants respond similarly to the rejection of independent claim 30 as being directed to nonstatutory subject matter. Applicants request the rejection under 35 U.S.C. §101 be withdrawn. Applicants invite the Examiner to telephone the Attorney to suggest other language that may be more acceptable. Applicants, however, maintain that the invention, as claimed, is statutory as explained above. Claims 2, 4-6, 18-29 are at least allowable by virtue of their dependence upon independent claim 1. Applicants do no concede the correctness of the rejection. Applicants further note that claim 1-2, 4-6, 18-29 are rejected only under 35 USC. §101; therefore Applicants, believing that the claims are statutory, request these claims be allowed.

The rejection under 35 U.S.C. §112, second paragraph

In response to the rejection of claims 9-10, 13-17 as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention, Applicants amend claim 9 to provide a step that links the organization direction component to the organization capabilities component as shown in Figure 5. Applicants have clarified that there are business architecture data and information technology data. Consistent with the definition of components, the organization components encapsulate the organization data and the algorithms applied to them. Applicants request the rejection of claims 9-10, 13-17 be withdrawn.

The rejection under 35 U.S.C. §103(a)

Applicants traverse the rejection of claims 9-10, 13-17 as being obvious over Cornelius '234 in view of Adler '685. The rejection admits that Cornelius '234 does not teach a "computerized" method but then relies on Adler '685 for providing a computerized process for modeling and analyzing strategic business decisions.

Applicants traverse because neither Cornelius '234 nor Adler '685 teach or suggest storing the information technology architecture of the organization in a database, operationally linking the information technology data to the business information component, and then assessing the impact upon one architecture resulting from changes to the other environment, as required by claim 9. With respect to implementing change, Cornelius '234 at column 61, lines 12-35 states the ripple-effects must be understood and coordinated and then Cornelius '234 proposes to make the Architecture team responsible for all ripple effects and have them implement all the application level changes that result from an architecture modification. This statement is the mere disembodied abstract idea that does not mention or suggest the impact on the business architecture; in actuality, this statement is a statement of the need for Applicants' claimed invention. Note that Applicants' invention, as claimed, will evaluate far greater and deeper impacts than those at the application level, which is what is suggested by Cornelius '234.

Adler '658 is cited for providing a web-based method of modeling strategic business decisions. Adler '658 is specifically directed to simulating business decisions in

the realm of economics, e.g., B2B channel strategies, mergers and acquisitions, creating or dropping products, business units or production capacity, simulating trends in the market and overall economy, joining an existing market, etc. see page 4, ¶[0032]. Adler '658 does not model or evaluate the impact of changes on or resulting from changes in the information technology architecture. Specifically, *see* pages 9-10, and ¶s [0081] through [0084] where Adler '658 briefly discusses the development tools needed to implement the method to model strategic business decisions. Note, however, that Adler '658 specifically does not address the impact of any changes in the information technology architecture and the development architecture on the business decisions.

Because neither Cornelius '234 nor Adler '658 teach or provide a reason to evaluate the impact of changes in the information technology architecture on a business architecture and *vice versa*, their alleged combination cannot do so. Applicants request the withdrawal of the rejection of claims 9-10, 13-17 as being obvious over Cornelius '234 in view of Adler '658 because a prima facie case of obviousness has not been established. Applicants assert that claims 10, 13-17 are allowable at least because of their dependence upon claim 9. Applicants do not concede the correctness of the rejection.

Applicants request the Examiner review the amended claims, consider the remarks above, and allow the claims. The Examiner is further invited to telephone the attorney, Karuna Ojanen Reg. No. 32484 at 612.455.3836 if there is suggested claim language or are minor issues that can be resolved to pass this long-pending application to issuance.

Applicants authorize the Commissioner to charge payment of any additional filing fees required under 37 CFR 1.116 and any patent application processing fees under 37 CFR 1.117 associated with this communication or credit any overpayment to Deposit Account 09-0457.

Respectfully submitted,

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Dated: <u>August 11, 2008</u>

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